

Knolls Atomic Power Laboratory – Kesselring SPCC Plan revision issue

Employee: Kenneth Gelting, Bechtel Marine Propulsion Corporation (BMPC, contractor for DOE – KAPL – Kesselring site)

April 2010 – SPCC Plan Revision 19 (describes 2 ASTs, with 30,000- and 60,000-gallon capacities and storing No. 2 fuel oil, as “aboveground – in contact with impervious barrier”)

Sept 2011 - BMPC hires Gelting.

Sept 2012 – Gelting completes draft of Revision 20, without knowledge of secondary containment flaws

April 2013 – Revision 20 approved and certified by Gelting as the P.E. of record

“During 2013” – Gelting reviews pre-construction specifications and discovers secondary containment issues with the two tanks..

Sept 24, 2013 – SPCC oil drum storage area is relocated, triggering a 180-day time limit for SPCC Plan revision. Gelting initiates drafting of Revision 21. His draft identifies the two tanks as being out of compliance.

March 5 to April 25, 2014 – Manager initiates review, pressures Gelting to include two tanks in revision and certify their compliance. Revision 21 sits on the desk.

March 24, 2014 – due date for Revision 21 passes without completion (180 days after Sept 24, 2013 = March 23, 2014, the trigger for revision).

April 25 to May 8, 2014 – Gelting goes on vacation

May 8 – Charlie Zafonte is on-site for a MMI inspection. Gelting requests to speak to Zafonte but is denied by Bechtel management (Gelting’s manager, Chad Niemeyer, and his manager’s manager, Gene Vitullo). Zafonte is provided the Revision 20 version of the SPCC Plan from April 2013, without being informed of Revision 21 and the compliance issues with tanks #005 and #006.

After May 8, 2014 – Bechtel hires an independent consulting firm to certify the secondary containment for tanks 005 and 006. The firm declines to provide certification.

May 29, 2014 – Revision 21 is approved with management’s signature and Gelting’s certification.

Oct 2014 – Gelting leaves BMPC.

Nov 14, 2014 - Gelting calls Malone but does not identify site.

Nov 17, 2014 – Gelting files complaint with EPA.

Nov 18, 2014 – Gelting files complaint with NYSDEC.

Nov 21, 2014 – Zafonte calls Gelting, who identifies site and provides more detail.

Nov 26, 2014 – Gelting provides site management with a copy of the complaint.

Dec 2, 2014 - DOE calls EPA regarding complaint, states that DOE learned of the secondary containment issue in May 2014, and invites EPA to participate in a DOE investigation.

Dec. 12, 2014 – NYSDEC (English and Brauksieck) states that it will assume an advisory role in this matter.